

Message Text

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ACTION AF-10

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C O N F I D E N T I A L LAGOS 10687

E.O. 11652: GDS
TAGS: CASC SHUM NI
SUBJECT: RESIDENCE PERMIT FOR RAY BAKER

REF: (A) LAGOS 10276; (B) LAGOS 9751

1. SUMMARY. AMBASSADOR FABUNMI HAS SENT A LETTER TO THE EMBASSY ASKING THAT BAKER BE TOLD THAT FABUNMI "ADVISES" HIM TO MAKE USE OF THE 90-DAY VISA OFFER AND VISIT NIGERIA. END SUMMARY.

2. FABUNMI CAME TO MY HOUSE SUNDAY TO ADVISE ME OF A LETTER TO THE EMBASSY WHICH HE IS PREPARING. THE GIST OF THE LETTER IS THAT FABUNMI ADVISES BAKER TO MAKE USE OF THE 90-DAY VISA OFFER AND VISIT NIGERIA.

3. FABUNMI DESCRIBED AT SOME LENGTH THE BACKGROUND OF THIS LETTER. HE SAID HE HAD NOTICED A HARDENING OF ATTITUDES TOWARDS BAKER'S SITUATION IN THE CABINET OFFICE OF LATE BECAUSE BAKER HAD NOT PICKED UP THE VISA OFFER. FOR BAKER'S OWN GOOD HE HAD THEREFORE PREPARED THIS LETTER. AS HE WAS ABOUT TO SEND IT HE HAD TALKED TO THE KEY OFFICIAL IN THE CABINET OFFICE WHO HAD FINALLY RETURNED FROM LEAVE (REFTEL B). THAT INDIVIDUAL HAD BEEN ASTONISHED TO FIND THAT BAKER WAS NOT YET IN COUNTRY AND HAD IMMEDIATELY BEGUN TO SPECULATE WHAT KIND OF GAMES BAKER WAS PLAYING WITH THE FMG. HE EXPRESSED HIS APPROVAL OF THE LETTER FABUNMI WAS ABOUT TO SEND.

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4. FABUNMI EMPHASIZED THAT THE EMBASSY SHOULD NOTIFY HIM OF THE TRAVEL DATA IF BAKER NOW DECIDES TO COME HERE. FABUNMI SAID HE WOULD THEN MAKE SURE THERE WAS NO NONSENSE FROM ANY OFFICIAL WHO MIGHT TAKE IT UPON HIMSELF TO DECIDE THAT THE ARRANGEMENTS MADE FOR BAKER'S RETURN WERE NO LONGER IN FORCE.

5. IN OUR DISCUSSION FABUNMI RETURNED SEVERAL TIMES TO THE POINT

THAT RESIDENCE PERMITS ARE NEVER GRANTED TO PERSONS WHO ARE NOT IN NIGERIA. HE EMPHASIZED THAT HE IS ANXIOUS TO HELP BAKER BUT THAT HE IS ON THE DEFENSIVE AT PRESENT IN RELATION TO OTHER OFFICIALS WHO CONTEND THAT BAKER IS SEEKING A SURRENDER OF THE FMG ON HIS OWN TERMS.

6. I TOLD FABUNMI THAT WE WOULD TRANSMIT TO THE DEPARTMENT BOTH A REPORT OF THIS CONVERSATION AND HIS LETTER, BUT THAT WE COULD NOT PREDICT BAKER'S REACTION. I ALSO TOLD FABUNMI THAT, AT AMBASSADOR EASUM'S REQUEST, I WAS PREPARING AN EXTENSIVE ACCOUNT OF THE BAKER CASE WHICH I WAS ABOUT TO SEND TO THE NEW COMMISSIONER FOR EXTERNAL AFFAIRS TO PREPARE THE GROUND FOR DISCUSSION OF THE CASE WITH THE AMBASSADOR AFTER HIS RETURN TO LAGOS. FABUNMI RAISED NO OBJECTION TO THIS AND I AM SENDING HIM A COPY OF THE SHORT LETTER AND THE ENCLOSED MEMORANDUM.

7. COMMENT: BAKER'S REFUSAL TO DATE TO MAKE USE OF THE VISA OFFER AFTER HE HAD CLAIMED AN URGENT NEED TO COME TO NIGERIA BEFORE THE END OF JULY HAS SERIOUSLY COMPLICATED HIS CASE. I BELIEVE THE BASIC DIFFICULTY AT PRESENT IS THAT THE SENSITIVE BUREAUCRACY SUSPECTS THAT BAKER IS INTERESTED NOT ONLY IN RETURNING TO NIGERIA BUT IN DOING SO ON TERMS WHICH AMOUNT TO A HUMILIATING CONFESSION OF ERROR ON THE PART OF THE FMG. CONTRIBUTING TO THIS SUSPICION IS THE FACT THAT RESIDENCE PERMITS ARE GRANTED ONLY TO FOREIGNERS ALREADY IN COUNTRY AND THAT TO PROVIDE ONE TO SOMEONE WHO HAD NOT YET ARRIVED WOULD CONSTITUTE AN EXCEPTIONAL CONFIDENTIAL

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FAVOR.

8. WHILE NO ONE CAN PREDICT WITH ENTIRE CONFIDENCE WHAT THE FINAL OUTCOME OF BAKER'S CASE WILL BE, I AM CONVINCED THAT HIS CHANCES OF OBTAINING A RESIDENCE PERMIT IN THE NEAR FUTURE WILL BE CONSIDERABLY BETTER IF HE NOW MAKES USE OF THE VISA OFFER. I THINK THIS ASSESSMENT SHOULD BE PROVIDED TO HIM AT THE SAME TIME AS FABUNMI'S ADVICE.

9. FABUNMI'S LETTER TO ME, JUST RECEIVED, READS AS FOLLOWS: BEGIN QUOTE: FURTHER TO MY LETTER, REF. NO. KU 42/7/VOL.II OF 17TH JULY, 1978, AND TO OUR RECENT CONVERSATIONS ABOUT MR. BAKER'S CASE, YOU WILL RECALL THAT YOU MADE US TO UNDERSTAND, IN YOUR LETTER OF JULY 7, 1978, THAT MR. BAKER HAD EXPRESSED THE URGENT NEED FOR HIM TO VISIT NIGERIA IN MID-JULY. AS A RESULT OF THIS UNDERSTANDING, WE ALL WORKED HARD TO OBTAIN THE CONCESSION FOR MR. BAKER TO VISIT NIGERIA FOR A PERIOD OF 90 DAYS, IN THE FIRST INSTANCE, WITHOUT ANY LET OR HINDRANCE.

HOWEVER, RATHER THAN TAKE GOOD ADVANTAGE OF THAT OFFER, MR. BAKER SUBSEQUENTLY APPEARED UNAPPRECIATIVE AND OVER-DEMANDING. ALL THE SAME, THE GENUINE INVITATION ALREADY CONVEYED TO HIM ON JULY 14, 1978, THROUGH OUR AMBASSADOR IN WASHINGTON, IS

STILL OPEN; AND HE SHOULD BE ADVISED, IN HIS OWN INTEREST AS
WELL AS IN THE INTEREST OF ALL CONCERNED, TO TAKE ADVANTAGE OF IT.
END QUOTE.

10. FYI: THE FINAL PARAGRAPH OF MY LETTER OF JULY 7 READ AS
FOLLOWS: BEGIN QUOTE: I THINK THE ABOVE INFORMATION WILL MAKE
CLEAR WHY MR. BAKER CONSIDERS IT ESSENTIAL FOR THE FUTURE OF
NIGERIAN DIVERSIFIED INVESTMENTS LTD. THAT HE VISIT NIGERIA
WITHIN THE NEXT WEEK OR TWO. HE IS SEEKING NOT ONLY THE REISSUANCE
OF HIS RESIDENCE PERMIT BUT ALSO OFFICIAL ASSURANCES THAT
HE WILL ENJOY FULL FREEDOM OF MOVEMENT IN NIGERIA. END QUOTE.
WYMAN

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